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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92050207
Party	Plaintiff Michael J. Peter
Correspondence Address	DANIEL S POLLEY DANIEL S POLLEY PA 7251 WEST PALMETTO PARK ROAD , SUITE 202 BOCA RATON, FL 33433 UNITED STATES dan@danpolley.com
Submission	Motion to Extend
Filer's Name	Daniel S. Polley
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Signature	/Daniel S. Polley/
Date	03/26/2014
Attachments	MotionforExtensionofTime-3-26-2014.pdf(12362 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Registration No. 2,783,766
For the Mark: SG and Design
Registration Date: November 18, 2003

MICHAEL J. PETER,)	
)	Cancellation No. 92050207
Petitioner,)	
v.)	
)	
SUICIDE GIRLS, INC.)	
)	
Registrant.)	
_____)	

PETITIONER’S MOTION FOR 180 DAY EXTENSION OF ALL DEADLINES

Petitioner, Michael J. Peter, (“Petitioner”), by and through the undersigned counsel, hereby requests an extension of all deadlines for an additional 180 days or six months, to permit the parties to continue to negotiate their co-existence agreement.

Since the Board’s November 7, 2013 Order, the Parties have further revised the co-existence agreement. On December 20, 2013, Petitioner’s counsel forwarded to Registrant’s counsel a further revised co-existence agreement (“Agreement”). Since December 20, 2013, Petitioner’s counsel has sent several follow up correspondence to Registrant’s counsel regarding the proposed Agreement.

For the most part, the December 20, 2013 Agreement resolves most of the outstanding issues in the Agreement. The Petitioner made one proposed revision regarding Petitioner not seeking to register its SG mark for the services listed in

Registrant's registration, as opposed to the entire class 41 that was proposed by Registrant.

The other outstanding issue for the Agreement requires guidance from the Board. Petitioner would prefer to suspend this Cancellation proceeding, while the Examining Attorney examining Petitioner's SG application considers the Co-Existence Agreement. If the Examining Attorney withdraws the citation of Registrant's registration for the 2(d) refusal against Petitioner's application, then Petitioner will move to dismiss this Cancellation proceeding. In the event, the Examining Attorney maintains the Section 2(d) refusal, then Petitioner will continue the Cancellation proceeding and move forward with its testimony and disclosures. Petitioner respectfully asks the Board as to whether this approach of suspending the instant Cancellation proceeding is acceptable to the Board. If so, Petitioner will revise the language of the Agreement accordingly. Petitioner is also receptive to having a telephone conference between the parties and the Interlocutory Attorney to discuss how to handle the suspension issue, as well as the other above noted outstanding issue.

In the event a suspension of this proceeding is not permissible by the Board, the requested 180 days should allow Petitioner to submit the co-existence agreement (assuming that the other remaining issues are quickly finalized and the Agreement is signed by the parties) to the Examining Attorney assigned to Petitioner's 77/498,645 application. If the agreement is acceptable to the Examining Attorney for withdrawing the citation of Registrant's registration as a 2(d) citation against Petitioner's above-noted application, the instant cancellation proceeding will be dismissed by Petitioner.

With the requested extension, the current deadlines would be revised to the following:

Plaintiff's Pretrial Disclosures: 10/4/2014

Plaintiff's 30-day Trial Period Ends: 11/18/2014

Defendant's Pretrial Disclosures: 12/3/2014

Defendant's 30-day Trial Period Ends: 1/17/2015

Plaintiff's Rebuttal Disclosures: 2/1/2015

Plaintiff's 15-day Rebuttal Period Ends: 3/3/2015

Petitioner has informed Registrant's counsel of this filing but has not heard back from Registrant's counsel.

WHEREFORE, Petitioner respectfully requests that the Board grant this Motion for Extension, thus, revising the remaining deadlines as indicated above and providing guidance with respect to the above-noted suspension issue or advising of the available times for a telephone conference to discuss same.

Respectfully submitted,

Attorneys for Petitioner

/Daniel S. Polley/

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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of March, 2014, a true copy of the foregoing PETITIONER'S MOTION FOR FOUR MONTH OF EXTENSION OF ALL DEADLINES was served via email, per agreement of the parties as follows:

Paul Loving, Esq.
paulloving@gmail.com

Executed on March 26, 2014.

/Daniel S. Polley/
Daniel S. Polley, Reg. No. 34,902